

JAN 07 2011

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

UNITED STATES OF AMERICA

Case No. 7:98-cr-00007

v.

§ 2255 ORDER

DEDRIC LEE WILEY,
Petitioner.

By: Hon. Jackson L. Kiser
Senior United States District Judge

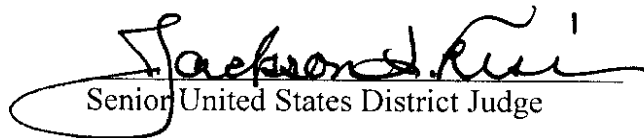
For the reasons stated in the accompanying memorandum opinion, it is hereby

ORDERED

that petitioner's motion (no. 36) is **CONSTRUED** as a motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255; petitioner's § 2255 action is **DISMISSED without prejudice** as a successive § 2255 motion; a Certificate of Appealability is **DENIED**; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to petitioner and to counsel of record for the United States.

ENTER: This 7th day of January, 2011.


Senior United States District Judge